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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ORACLE USA, INC., a Colorado corporation;
ORACLE AMERICA, INC., a Delaware
corporation; and ORACLE INTERNATIONAL
CORPORATION, a California corporation,

Plaintiffs,

v.

RIMINI STREET, INC., a Nevada corporation,
and SETH RAVIN, an individual,

Defendants.

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Case No. 2:10-cv-0106-LRH-PAL

EMERGENCY RELIEF REQUESTED

**RIMINI STREET AND SETH RAVIN'S
REPLY IN SUPPORT OF EMERGENCY
MOTION FOR EXTENSION OF TIME TO
RESPOND TO ORACLE'S MOTION FOR
ATTORNEYS' FEES AND COSTS
PURSUANT TO L.R. 7-5 AND 26-4**

Judge: Hon. Larry R. Hicks

1 Oracle seeks over \$56 million in fees and costs and would like the Court to just rubber-stamp
2 its request. But this is no ordinary fee request; indeed, Oracle seeks more in attorneys' fees than it
3 was awarded at trial, and it did not provide Rimini or the Court with any way of evaluating, based on
4 the massive set of invoices Oracle submitted, which fees were incurred for the claims on which
5 Oracle prevailed. The amount and complexity of Oracle's fee request therefore far exceed anything
6 Rimini or the Court could have anticipated. Oracle acknowledges that two extra weeks are warranted
7 (Dkt. 942 at 6), but as Rimini's expert explained (Dkt. 941-2), that is not sufficient time to perform a
8 sufficient analysis and audit of the billing records supporting Oracle's massive fee request. Oracle
9 does not dispute Rimini's expert's time estimate; Oracle simply argues that such an analysis is
10 unnecessary. Oracle is wrong.

11 Oracle lost, withdrew, or abandoned the vast majority of its claims. Yet, Oracle's request
12 lumps together all invoices on all issues, without differentiating which fees were for which claims or
13 what portion of Oracle's work was directed to issues on which Oracle prevailed. If any fees are
14 awarded—and Rimini contends that none are warranted—the Court will need to decide how to divide
15 up what Oracle has requested in light of its limited success. But Oracle has given the Court *no*
16 *method* for doing so. By contrast, Rimini's opposition brief and supporting expert declarations will
17 significantly assist the Court in evaluating the morass of bills, invoices, declarations, and timesheets
18 that Oracle has filed. Accordingly, an extension of time for Rimini's experts to perform this analysis
19 will not "burden" the Court as Oracle claims; to the contrary, it will greatly assist the Court in
20 evaluating Oracle's substantial request.

21 Oracle's opposition to this extension is particularly meritless given that Oracle belatedly
22 revised its fee request two weeks after it filed its motion adding \$200,000 (Dkt. 931), and did not
23 provide all the data supporting its request until two days ago (Dkt. 939), which added hundreds of
24 additional pages of timesheets (Dkt. 937). Oracle also refused to allow Rimini's auditors to review
25 the timesheets in a timely manner, instead insisting on the longest possible delay permitted by the
26 protective order. *See* Dkt. 941-3.

27 \$56 million is an outrageous amount of attorneys' fees. Coupled with the requested \$40
28 million in prejudgment interest, Oracle is attempting to *triple* the jury's copyright award. Preventing

1 Rimini from engaging experts to scrutinize Oracle's extreme request would be grossly unfair, and
2 would deprive the Court of a significant aid for its evaluation of Oracle's fee request. Rimini thus
3 respectfully requests that the Court order an extension of an additional 60 days for Rimini to respond
4 to Oracle's fee request.

5 DATED: December 4, 2015

LEWIS ROCA ROTHGERBER LLP

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CERTIFICATE OF SERVICE

I hereby certify that on December 4, 2015, I caused to be electronically filed the foregoing document with the clerk of the court for the U.S. District Court, District of Nevada, using the electronic case filing system. The electronic case filing system sent a “Notice of Electronic Filing” to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Jessie M. Helm

An employee of Lewis Roca Rothgerber LLP